

6-12-01  
 Secy ☒ USM  
 Mag. J. ☒ Prob.  
 M. Min ☒ PTS

By: DOWD, J.  
 (12)

FILED

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF OHIO  
 EASTERN DIVISION

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CLERK U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF OHIO  
 AKRON

United States of America,

Plaintiff,

v.

Hiroaki Serizawa,

Defendant.

CASE NO. 1:01CR210

ORDER

The Court has scheduled this case for trial for July 23, 2001 and set the deadline for filing motions on behalf of the defendant for June 6, 2001.

The defendant has moved for an extension of the deadline for filing motions until September 7, 2001 and has moved for a continuance of the trial. Additionally, the defendant has filed a brief in further explanation of the need for a Japanese interpreter for all trial proceedings.

The defendant is now apparently represented by at least four lawyers, i.e., Patrick M. McLaughlin, John F. McCaffrey, Colin R. Jennings, all associated with the law firm of McLaughlin and McCaffrey of Cleveland, and Ty Cobb of Hogan and Hartson of Denver, Colorado. The motion for a continuance of the trial is accompanied by the trial schedules of McLaughlin, McCaffrey and Cobb. The motion also requests a continuance of the trial until April 15, 2002 or as soon after as the Court's calendar permits. A continuance in order to permit counsel to prepare for trial is justified, but a continuance based on conflicts in the trial schedules of multiple defense counsel is not justified, nor will the Court adjust the trial schedule for that purpose.

(1:01CR210)

The motion for a continuance is accompanied by the defendant's written waiver of his rights under the legislative Speedy Trial Act of 1974. However, the Court will delay granting the motion until the status call of July 3, 2001 when the Court will question the defendant on the record with respect to his executed waiver.

However, in anticipation that the defendant will make a knowing and intelligent waiver of his right to a trial within 70 days of the arraignment, the Court announces the new deadlines and the trial date. The trial will be rescheduled for Monday, November 5, 2001. The deadline for filing motions is extended to August 24, 2001 and the responses shall be filed by September 4, 2001 and the replies, if any, by September 14, 2001. In the event any motion requires an evidentiary hearing, that hearing will be conducted on Tuesday, September 25, 2001 at 1:00 p.m.

In preparation for the July 3 status conference, the Court directs that the government complete its response to the defendant's discovery requests by June 22, 2001.

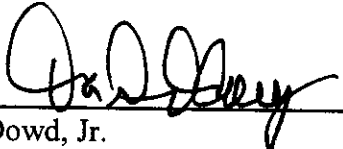
The Court will provide a Japanese interpreter for all court appearances of the defendant, but the role of the interpreter will be limited to translating court proceedings. In the event the defendant has the need for a separate interpreter to assist in his discussions with his counsel, the arrangement for a Japanese interpreter for those discussions shall be for the defendant and his counsel to arrange.

The Court will schedule an additional status conference after the resolution of the anticipated motions, upon motion of counsel and for good cause shown.

IT IS SO ORDERED.

June 11, 2001

Date

  
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David D. Dowd, Jr.  
U.S. District Judge